



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,020	03/23/2001	Kunio Sekiya	24555	4982

26691 7590 07/20/2005

POTTER ANDERSON & CORROON LLP  
ATTN: KATHLEEN W. GEIGER, ESQ.  
P.O. BOX 951  
WILMINGTON, DE 19899-0951

EXAMINER

HALPERN, MARK

ART UNIT PAPER NUMBER

1731

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/806,020

Applicant(s)

SEKIYA, KUNIO

Examiner

Mark Halpern

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

- 1) Acknowledgement is made of Amendment received 6/13/2005. Claim 4 is amended.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 2) Claims 1-6, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaoru (JP-4-130190) in view of Donnelly (3,014,832).

Claims 1, 3-4: Kaoru discloses a method of cleaning a surface of a papermaking rotating dryer drum wherein a release agent, an emulsified oil solution, is applied to the surface of the drum by direct spraying onto the surface. The oil penetrates the asperities on the surface of the drum and forms a film on the surface of the drum. The oil is then absorbed by the cellulose fibers of a paper strip, which rides on the drum. Kaoru, Example 3, discloses continuous spraying at a rate of 2.0 l/min. onto a surface of a Yankee drum dryer, the dryer having a width of 3 meters, without staining the paper strip by the release agent (Kaoru, translation, pages 2-5). Kaoru fails to disclose the drying cylinder linear rotation speed, data that would permit to calculate the spray rate in units claimed. Donnelly discloses a process wherein a dryer surface is kept clean by

Art Unit: 1731

the release spraying of an emulsified oil agent (col. 3, lines 15-20, col. 5, lines 1-22) onto the surface of the drum (Donnelly, col. 7, line 50 to col. 8, line 30, and Figure 2). Donnelly discloses drying cylinder drum rotation of up to 3000 feet per minute (Donnelly, col. 6, lines 55-60). Utilizing the Donnelly dryer rotation, the Kaoru method of cleaning calculates a spray rate of about  $0.72 \text{ mg/m}^2$  per minute. It would have been obvious to one skilled in the art at the time the invention was made, to combine the teachings of Kaoru and Donnelly, because such a combination would improve the control of adhesion of the web to the dryer surface thus improve the quality of the Kaoru product as disclosed by Donnelly (col. 2, lines 50-68). It would have been obvious that the supplying oil would fill the microscopic asperities on the drum surface and form a thin oil film on the surface of the drum.

Claim 2: Kaoru is applied as above for claim 1, Kaoru is silent on the drum dryer being a multiple type drum dryer, however, it would have been obvious to one skilled in the art at the time the invention was made, that the technical knowledge disclosed by Kaoru apply to a multiple type drum dryer.

Claim 5: Kaoru is applied as above for claim 1, Kaoru does not disclose the spray is a water oil combination of ratio claimed. Donnelly discloses a process wherein a dryer surface is kept clean by the release spraying of an emulsified oil agent (col. 3, lines 15-20, col. 5, lines 1-22) onto the surface of the drum (Donnelly, col. 7, line 50 to col. 8, line 30, and Figure 2). Donnelly discloses in Example I, oil-in-water emulsion having 6% of oil, and thus 94% of water, which calculates the water to oil ratio as 15.7, which reads on an agent wherein water is 3 to 30 times as much as oil, recited in claim

Art Unit: 1731

5. It would have been obvious to one skilled in the art at the time the invention was made, to combine the teachings of Kaoru and Donnelly, because such a combination would improve the control of adhesion of the web to the dryer surface thus improve the quality of the Kaoru product as disclosed by Donnelly (col. 2, lines 50-68).

Claim 6: Kaoru discloses the emulsified solution mixture contains 20 parts of oils and 1000 parts of water (working example, pg. 3). Thus the ratio of water to oils is 50 to 1.

### ***Response to Amendment***

3) The terminal disclaimer filed on 6/13/2005, disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent U.S. 6,858,113, has been reviewed and is accepted. The terminal disclaimer has been recorded.

4) Claim 4 rejection under 35 U.S.C. 102(b) as being anticipated by Kaoru (JP-4-130190), is withdrawn in view of amended claim.

5) Applicant's arguments with respect to claim 4, have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6) Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 1731

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 571-272-1190. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1731

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "M. Halpern", with a stylized, flowing script.

Mark Halpern  
Primary Examiner  
Art Unit 1731